

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF ARKANSAS
HELENA DIVISION**

FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

FEB 27 2009

JAMES W. McCORMACK, CLERK
By:  **PLAINTIFF** ~~DEP. CLERK~~

**JOYCE GARNER, as Personal Administratrix
of the Estate of James Larry Garner**

v. CASE NO. 2:07-CV-00149 BSM

UNITED STATES OF AMERICA

DEFENDANT

JUDGMENT

In accordance with the findings of fact and conclusions of law entered of even date herewith, judgment is entered as follows:

A. For Joyce Garner as Personal Administratrix of the Estate of James Larry Garner, deceased, under Tennessee's Survival Statute:

1. Funeral expenses, \$6,439.15;
2. James Larry Garner's physical and mental pain and suffering, \$200,000; and
3. Lost wages and loss of earning capacity, \$281,566.

B. For recovery of incidental damages suffered by Joyce Garner, Teresa Davis, Holly Russell, and Timothy Garner, the decedent's next of kin, including the pecuniary value of the decedent's life under Tennessee's Wrongful Death Statute:

1. For Joyce Garner, \$400,000;
2. For Teresa Davis, \$200,000;
3. For Holly Russell, \$200,000; and
4. For Timothy Garner, \$200,000.

IT IS FURTHER ORDERED that plaintiff receive her costs expended.

Dated this 27th day of February, 2009.


UNITED STATES DISTRICT JUDGE